

out any Provision being made for the Administration of Civil Government therein, and other Parts of the said Country, where sedentary Fisheries had been established and carried on by the Subjects of *France*, Inhabitants of the said Province of *Canada*, under Grants and Concessions from the Government thereof, were annexed to the Government of *Newfoundland*, and thereby subjected to Regulations inconsistent with the Nature of such Fisheries:

May it therefore please Your most Excellent MAJESTY,

That it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the said Territories, Islands, and Countries, heretofore Part of the Province of *Canada*, in *North America*, extending southward to the Banks of the River *Ohio*, westward to the Banks of *Mississippi*, and northward to the southern Boundary of the Territory granted to the Merchants Adventurers of *England* trading to *Hudson's Bay*, and which said Territories, Islands, and Countries, are not within the Limits of some other *British* Colony, as allowed and confirmed by the Crown, or which have, since the Tenth of *February*, One thousand seven hundred and sixty-three, been made Part of the Government of *Newfoundland*, be, and they are hereby, during His Majesty's Pleasure, annexed to and made Part and Parcel of the Province of *Quebec*, as created and established by the said Royal Proclamation of the Seventh of *October*, One thousand seven hundred and sixty-three.

And whereas the Provisions made by the said Proclamation, in respect to the Civil Government of the said Province of *Quebec*, and the Powers and Authorities given to the Governor and other Civil Officers of the said Province, by the Grants and Commissions issued in Consequence thereof, have been found, upon Experience, to be inapplicable to the State and Circumstances of the said Province, the Inhabitants whereof amounting, at the Conquest, to above One hundred thousand Persons, professing the Religion of the Church of *Rome*, and enjoying an established Form of Constitution, and System of Laws, by which their Persons and Property had been protected, governed, and ordered,

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ordered, for a long Series of Years, from the First Establishment of the said Province of *Canada*; be it therefore further enacted by the Authority aforesaid, That the said Proclamation, so far as the same relates to the said Province of *Quebec*, and the Commission under the Authority whereof the Government of the said Province is at present administered, and all and every the Ordinance and Ordinances made by the Governor and Council of *Quebec* for the Time being, relative to the Civil Government and Administration of Justice in the said Province, and all Commissions to Judges and other Officers thereof, be, and the same are hereby revoked, annulled, and made void, from and after the Day of *next*.

And for the more perfect Security and Ease of the Minds of the Inhabitants of the said Province, it is hereby declared, That His Majesty's Subjects professing the Religion of the Church of *Rome*, of and in the said Province of *Quebec*, as the same is described in and by the said Proclamation and Commissions, and also of all the Territories, Part of the Province of *Canada*, at the Time of the Conquest thereof, which are hereby annexed, during His Majesty's Pleasure, to the said Government of *Quebec*, may have, hold, and enjoy, the free Exercise of the Religion of the Church of *Rome*, subject to the King's Supremacy, as is declared and established by an Act made in the First Year of the Reign of Queen *Elizabeth*, over all the Dominions and Countries which then did, or thereafter should, belong to the imperial Crown of this Realm; and that the Clergy, and other Religious of the said Church, may hold, receive, and enjoy their accustomed Dues and Rights, with respect to such Persons only as shall profess the said Religion.

Provided nevertheless, That nothing herein contained shall extend, or be construed to extend, to the disabling His Majesty, His Heirs or Successors, from the making such Provision for the Maintenance and Support of a Protestant Clergy within the said Province, as he or they shall, from Time to Time, think necessary and expedient.

And be it further enacted by the Authority aforesaid, That all His Majesty's *Canadian* Subjects within the Province of *Quebec*, and the Territories thereunto belonging, may also hold and enjoy their Property and Possessions, together with all Customs, and Usages relative thereto, and

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and all other their Civil Rights, in as large, ample, and beneficial Manner, as if the said Proclamation, Commissions, Ordinances, and other Acts and Instruments, had not been made, and as may consist with their Allegiance to His Majesty, and Subjection to the Crown and Parliament of Great Britain; and that, in all Matters of Controversy relative to the Property and Civil Rights of any of His Majesty's Subjects, whether *Canadian* or *English*, Resort shall be had to the Laws of *Canada*, and not to the Laws of *England*, for the Decision of the same; and all Causes that shall hereafter be instituted in any of the Courts of Justice, to be appointed within and for the said Province by His Majesty, His Heirs and Successors, shall, with respect to such Property and Rights, be determined by the Judges of the same, agreeably to the said Laws and Customs of *Canada*, and the several Ordinances that shall, from Time to Time, be passed in the said Province by the Governor, Lieutenant-governor, or Commander in Chief for the Time being, by and with the Advice and Consent of the Legislative Council of the same, to be appointed in Manner herein-after mentioned, and by no other Laws, Customs, or Usages whatsoever.

Provided always, That it shall and may be lawful to and for every Person in the said Province, whether *Canadian* or *English*, that is Owner of any Lands, Goods, or Credits in the same, and that has a Right to alienate the said Lands, Goods, or Credits, in his or her Lifetime, by Deed of Sale, Gift, or otherwise, to devise or bequeath the same, at his or her Death, by his or her Last Will and Testament, to such Persons, and in such Manner, as he or she shall think fit, any Law, Usage, or Custom heretofore or now prevailing in the Province to the Contrary hereof in any wise notwithstanding.

And provided also, That nothing in this Act contained shall extend, or be construed to extend, to any Lands that have been granted by His Majesty, or shall hereafter be granted by His Majesty, His Heirs and Successors, to be holden in free and common Socage.

And whereas the Certainty and Lenity of the Criminal Law of *England*, and the Benefits and Advantages resulting from the Use of it, have been sensibly felt by the Inhabitants, from an Experience of more than Nine Years, dur-

ing which it has been uniformly administered; be it therefore further enacted by the Authority aforesaid, That the same shall continue to be administered, and shall be observed as Law, in the Province of *Quebec*, and its Dependencies, as well in the Description and Quality of the Offence, as in the Method of Prosecution and Trial, and the Punishments and Forfeitures thereby inflicted, to the Exclusion of every other Rule of Criminal Law, or Mode of Proceeding thereon, which did or might prevail in the said Province before the Year of our Lord One thousand seven hundred and sixty-four; any Thing in this Act to the Contrary thereof in any Respect notwithstanding; subject nevertheless to such Alterations and Amendments, as the Governor, Lieutenant-governor, or Commander in Chief for the Time being, by and with the Advice and Consent of the Legislative Council of the said Province, hereafter to be appointed, shall, from Time to Time, cause to be made therein, in Manner herein-after directed.

And whereas it may be necessary to ordain many Regulations, for the future Welfare and good Government of the Province of *Quebec*, the Occasions of which cannot now be foreseen, nor without much Delay and Inconvenience be provided for, without intrusting that Authority for a certain Time, and under proper Restrictions, to Persons resident there:

And whereas it is at present inexpedient to call an Assembly, be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for His Majesty, His Heirs and Successors, by Warrant under His or their Signet, or Sign Manual, and with the Advice of the Privy Council, to constitute and appoint a Council for the Affairs of the Province of *Quebec*, and its Dependencies, to consist of such Persons resident there, not exceeding Twenty-three, nor less than Seventeen, as His Majesty, His Heirs and Successors, shall be pleased to appoint; and, upon the Death, Removal, or Absence of any of the Members of the said Council, in like Manner to constitute and appoint such and so many other Person or Persons as shall be necessary to supply the Vacancy or Vacancies; which Council, so appointed and nominated, or the major Part thereof, shall have full Power and Authority to make Ordinances for the Peace, Welfare, and good Government of the said Province, with the Consent of His Majesty's Governor

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vernor, or, in his Absence, of the Lieutenant-governor, or Commander in Chief for the Time being.

Provided always, That nothing in this Act contained shall extend to authorise or empower the said Legislative Council to lay any Taxes or Duties within the said Province.

And provided also, That every Ordinance so to be made shall, within Months, be transmitted by the Governor, or, in his Absence, by the Lieutenant-governor or Commander in Chief for the Time being, and laid before His Majesty, for His Royal Approbation; and if His Majesty shall think fit to disallow thereof, the same shall cease and be void from the Time that His Majesty's Order in Council thereupon shall be promulgated at *Quebec*.

And provided also, That no Ordinance touching Religion, or by which any Punishment may be inflicted greater than Fine or Imprisonment for Three Months, shall be of any Force or Effect, until the same shall have received His Majesty's Approbation.

And provided also, That no Ordinance shall be passed, at any Meeting of the Council, except between the Day of and the Day of unless upon some urgent Occasion, in which Case, every Member thereof resident at *Quebec*, or within Miles thereof, shall be personally summoned by the Governor, or, in his Absence, by the Lieutenant-governor or Commander in Chief for the Time being, to attend the same.

And be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to prevent or hinder His Majesty, His Heirs and Successors, by His or their Letters Patent, under the Great Seal of *Great Britain*, from erecting, constituting, and appointing, such Courts of Criminal, Civil, and Ecclesiastical Jurisdiction, within and for the said Province of *Quebec*, and its Dependencies, and appointing, from Time to Time, the Judges and Officers thereof, as His Majesty, His Heirs and Successors, shall think necessary and proper, for the Circumstances of the said Province.

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